

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	
v.)	Criminal No. 20-10271-NMG
)	
CEDRIC CROMWELL,)	
)	
Defendant.)	

**JOINT MOTION TO CONTINUE STATUS CONFERENCE
FROM JANUARY 10, 2024 TO A DATE IN AUGUST OR SEPTEMBER 2024**

The Court has scheduled a status conference for January 10, 2024 regarding the status of the case against Cedric Cromwell on Counts 11-14 of the Superseding Indictment, which charge the filing of false tax returns, in violation of 26 U.S.C. § 7206(1). Counts 1-10 were previously tried. A jury convicted Mr. Cromwell on six counts; the district court entered Rule 29 acquittals on four of those counts. Mr. Cromwell has filed an appeal and the government has cross-appealed.

During the last status conference, on July 11, 2023, the Court and the parties agreed to hold the tax counts until the First Circuit resolves the pending appeal and cross-appeal. The relevant briefing schedule is as follows: The government's brief in opposition to Mr. Cromwell's opening brief / the government's initial brief in support of its cross-appeal, is due on January 17, 2024. Mr. Cromwell will then have 30 days to file his reply brief / opposition to the government's cross-appeal. Then the government will have 21 days to file its reply brief in support of its cross-appeal.

If no extensions are requested and granted, the earliest the appeal would be placed on the First Circuit's oral argument schedule is April 2024. Realistically, the parties do not expect a decision before October 2024 at the earliest.

In light of the above, the parties respectfully request that the Court continue the status conference from January 10, 2024 to a date in August or September 2024.

The parties also request that the Court enter an Order excluding the time from January 10, 2024 through the new date of the status conference from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Section 5(b)(7)(B) of the Plan for Prompt Disposition of Criminal Cases in the United States District Court for the District of Massachusetts (Statement of Time Limits Adopted by the Court and Procedures for Implementing Them, Effective December 2008), on the grounds that this period constitutes reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the ends of justice served by excluding this period outweigh the best interests of the public and the defendants in a speedy trial.

Respectfully submitted,

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CEDRIC CROMWELL
By his counsel,

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Certificate of Service

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on January 7, 2024.

/s/ Christine Wichers
Christine Wichers